

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-2-E ORDER NO. 2020-136-H

DECEMBER 17, 2020

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Annual Review of Base Rates for Fuel Costs for Dominion Energy South Carolina, Incorporated (For Potential Increase or Decrease in fuel Adjustment or Gas Adjustment)

MATTER UNDER CONSIDERATION:

Petition to Intervene of South Carolina Coastal Conservation League and Southern Alliance for Clean Energy (“SCCCL/SACE” or the “Conservation Groups”)

CHIEF HEARING OFFICER’S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of South Carolina Coastal Conservation League and Southern Alliance for Clean Energy. The Petition is timely filed, and no objections to the intervention have been filed.

After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:

set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

Objections to a Petition to Intervene shall be filed with the Commission within ten days of service of the Petition to Intervene. S.C. Code Ann. Regs. 103-825A(3) (2012) (emphasis added).

The position of the Petitioners in the proceeding must also be concisely and clearly stated; provided it is known. The Commission has historically allowed a petitioning party to intervene even if the party has not made a determination of its position in a docket/proceeding provided such intervention would not cause undue delay in the proceedings or prejudice the rights of other parties.

CCL asserts that it is a nonprofit organization whose mission is to protect the natural environment of the South Carolina coastal plain and to enhance the quality of life in their

communities by working with individuals, businesses and government to ensure balanced solutions. CCL supports the development of energy policy that is in the public interest of South Carolinians. CCL has members from across the State, including members who receive electricity service from DESC and will be impacted by the decisions made in this proceeding regarding renewable energy and the recovery of fuel costs and incremental and avoided costs of DER programs and net metering.

SACE states that it is a nonprofit organization whose mission is to promote responsible energy choices that create global warming solutions and ensure clean, safe and healthy communities throughout the Southeast. SACE and its members are interested in promoting greater reliance on clean energy resources to meet the South's energy needs. Like CCL, SACE has members from across the state, including members who receive electricity service from DESC and will be impacted by the decisions made in this proceeding regarding renewable energy and the recovery of fuel costs and incremental and avoided costs of DER programs and net metering.

The Conservation Groups and their members assert that they have direct and substantial interests that will be impacted by the decisions made in this proceeding regarding renewable energy and the recovery of fuel costs and incremental and avoided costs of DER programs and net metering, and their interests cannot be adequately addressed by any other party. The Conservation Groups seek to ensure a full and proper valuation of NEM generation and appropriate cost recovery consistent with the Settlement Agreement approved in Docket 2014-246-E that will accurately reflect and support an effective and diversified portfolio of distributed energy resources and lead to cleaner, safer, and healthier communities for all South Carolinians. The Conservation Groups also seek to ensure that the Company's fuel purchasing practices and policies result in the lowest reasonable costs to customers, and that the Company's fuel costs are just and reasonable. The Conservation Groups' support for these policies and involvement in this proceeding will promote their members' interests as well as the broader public interest. CCCL and SACE state that petitioning to intervene in this proceeding is also consistent with the Commission's policies encouraging maximum public participation in the issues before it.

From these facts, this Hearing Officer holds that CCCL/SACE has successfully satisfied the three criteria for intervention stated in the Regulation. The Conservation Group's interest in this matter can clearly be discerned, as can the grounds for the intervention, and their position.

Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of CCCL/SACE is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.